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EXAMINER
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* JOHANNES WEDA and MAURO BARBIERI

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Appeal 2016-000609  
Application 12/438,554  
Technology Center 2100

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Before BRUCE R. WINSOR, DANIEL N. FISHMAN, and  
JOSEPH P. LENTIVECH, *Administrative Patent Judges*.

LENTIVECH, *Administrative Patent Judge*.

DECISION ON APPEAL

Appellants<sup>1</sup> seek our review under 35 U.S.C. § 134(a) of the Examiner's final rejection of claims 1, 5–12, 14–18, and 20–23. Claims 2–4, 13, and 19 have been canceled. App. Br. 7. We have jurisdiction over the pending claims under 35 U.S.C. § 6(b).

We affirm.

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<sup>1</sup> According to Appellants, the real party in interest is Koninklijke Philips N.V. App. Br. 2.

## STATEMENT OF THE CASE

### *Appellants' Invention*

Appellants' invention generally relates to generating a summary of a plurality of distinct data streams. Spec., 1:2–4. The data streams are collected and segmented into natural entities, such as a shot (e.g., a continuous camera recording) or a scene (e.g., a group of shots naturally belonging together). Spec. 2:28–32. The data streams are then synchronized and overlapping segments (e.g., segments recorded at the same time) and redundant segments (e.g., segments containing the same scene) are detected. Spec. 1:32–2:1. A summary is generated from a selection taken from the overlapping and redundant segments. Spec. 2:1–2. Claim 1, which is exemplary, reads as follows:

1. A method of generating a summary of a plurality of distinct data streams, the method comprising the acts of:

synchronizing a plurality of related data streams, said plurality of related data streams comprising a plurality of segments;

detecting overlapping segments of said synchronized data streams;

determining overlap scores for the plurality of segments;

selecting one of said overlapping segments;

generating a summary including said selected one of said overlapping segments; and

generating at least one alternate summary when one of the overlap scores has a value greater than one,

wherein the synchronizing act synchronizes the plurality of related data streams based on a trigger, wherein the trigger is one of a change in a video content and a change in an audio content common to the plurality of related data stream.

*Rejections*

Claims 1, 5, 7–10, 12, 14, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Yasui (US 6,618,058 B1; issued Sept. 9, 2003), Syeda-Mahmood (US 6,507,838 B1; issued Jan. 14, 2003) (“Syeda”), and Kehlet et al. (US 5,956,046; issued Sept. 21, 1999) (“Kehlet”). Final Act. 3–8.

Claims 6 and 17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Yasui, Syeda, Kehlet, and Li et al. (US 2005/0125821 A1; published June 9, 2005) (“Li”). Final Act. 8–9.

Claims 11 and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Yasui, Syeda, Kehlet, and Shteyn (US 2003/0117365 A1; published June 26, 2003). Final Act. 9–14.

Claims 16 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Yasui, Syeda, Kehlet, and Howard et al. (US 2007/0288479 A1; published Dec. 13, 2007) (“Howard”). Final Act. 14–15.

Claims 21–23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the combination of Yasui, Syeda, Kehlet, and Nishio (US 2009/0060463 A1; published Mar. 5, 2009). Final Act. 15–17.

*Issue on Appeal*

Did the Examiner err in finding that the combination of Yasui, Syeda, and Kehlet teaches or suggests “wherein the synchronizing act synchronizes the plurality of related data streams based on a trigger, wherein the trigger is

one of a change in a video content and a change in an audio content common to the plurality of related data stream,” as recited in claim 1?

### ANALYSIS

We have reviewed the Examiner’s rejections in light of Appellants’ arguments that the Examiner has erred. We disagree with Appellants’ conclusions. We adopt as our own the findings and reasons set forth by the Examiner in the Final Office Action from which this appeal is taken and the reasons set forth in the Examiner’s Answer in response to Appellants’ Appeal Brief. Final Act. 3–18; Ans. 3–21. We highlight and address specific findings and arguments for emphasis as follows.

Appellants argue independent claims 1, 10, and 11 together. *See* App. Br. 7–11. Appellants set forth no independent arguments with respect to claims 5–9, 12, 14–18, and 20–23. *See id.* Accordingly, claims 5–12, 14–18, and 20–23, stand or fall with claim 1. 37 C.F.R. § 41.37(c)(1)(iv). Therefore we discuss the appeal by referring to claim 1.

Appellants contend the combination of Yasui, Syeda, and Kehlet fails to teach or suggest “wherein the synchronizing act synchronizes the plurality of related data streams based on a trigger, wherein the trigger is one of a change in a video content and a change in an audio content common to the plurality of related data stream,” as recited in claim 1. App. Br. 9–10; Reply Br. 3–7. In particular, Appellants contend Kehlet, upon which the Examiner relies, does not teach or suggest synchronizing a plurality of related data streams based on a trigger, as required by claim 1. App. Br. 9–10; Reply Br. 6. Appellants contend synchronization of scene switching, as taught by Kehlet, occurs when all pixel data has been written and transferred into

respective frame buffer memory banks and not based on a trigger, as required by claim 1. *Id.*

We do not find Appellants' contention persuasive. Kehlet relates to “[a] multi-display video system for ensuring the proper synchronization of scene switching.” Kehlet, Abstract. Kehlet teaches the multi-display video system includes a plurality of display devices, each for rendering a particular view of a given scene. Kehlet 2:47–51. Kehlet teaches “[e]ach of the plurality of display devices is coupled to receive a video output signal from a corresponding one of a plurality of graphics accelerators” and “[b]efore each of the plurality of graphics accelerators can switch to pixel data corresponding to the next scene to be rendered, the new pixel data is written into a bank of frame buffer memory.” Kehlet 2:51–53, 63–66. Kehlet further teaches “[w]hen all of the graphics accelerators have completed writing the new pixel data to their respective frame buffers, the scene switch may then take place.” Kehlet 2:66–3:1.

The Examiner finds Kehlet teaches or suggests performing the synchronization based on a trigger because “the term based on is broad to incorporate the steps of inhibiting a scene switch until all the new pixels are transferred and collected wherein the switch in the next scene is what triggered collecting the pixels in order to synchronize them.” Ans. 20. The Examiner's finding is reasonable and consistent with Appellants' Specification. *See* Spec. 3:5–6 (“[T]he trigger may be a change in scene or shot or [loud] noise, such as cannon fire, a whistle or recognition of an announcement[,] etc.”). As such, we are not persuaded the Examiner erred.

Appellants further contend Kehlet fails to teach or suggest “wherein the trigger is one of a change in a video content and a change in an audio

content common to the plurality of related data stream,” as also recited in claim 1. App. Br. 10–11; Reply Br. 4–6. According to Appellants, Kehlet teaches each display device displays a different view of a given scene.

Reply Br. 4 (citing Kehlet, Fig. 1; 1:48–53). Appellants contend “[w]hile the three left, forward and right views may be of a given scene, there is no common content in these three left, forward and right views.” *Id.*

Appellants contend, therefore, even if Kehlet teaches or suggests performing synchronization based on a trigger, the trigger is not one of a change in a video content and a change in an audio content common to the plurality of related data streams, as recited in claim 1. App. Br. 10–11; Reply Br. 4–6.

We do not find Appellants’ contention persuasive. The Examiner finds (Ans. 20) the broadest reasonable interpretation of “video content . . . common to the plurality of related data streams” includes video content of a common scene, which is reasonable and consistent with Appellants’ Specification. *See* Spec. 3:5–6 (“the trigger may be a change in scene or shot”); Spec. 4:26–28 (“the data streams can be synchronized by a trigger, for example, a common scene.”); Spec. 2:31–32 (defining a “scene” as “[a] group of shots naturally belonging together, e.g., same time, same place, etc.”). As discussed *supra*, Kehlet teaches performing scene synchronization based on a trigger (e.g., switching to the next scene). Kehlet 2:62–3:1. The Examiner finds, and we agree, Kehlet teaches that each display device displays a different view of a given (e.g., the same or common) scene. Ans. 20–21 (citing Kehlet 1:45–55; 1:63–2:15). As such, Kehlet teaches or suggests “wherein the trigger is one of a change in video content and a change in audio content common to the plurality of related

data streams,” as recited in claim 1. Accordingly, we are not persuaded the Examiner erred.

For the foregoing reasons, we are not persuaded the Examiner erred in rejecting claim 1; and claims 5–12, 14–18, and 20–23, which fall with claim 1.

#### DECISION

We affirm the Examiner’s rejections of claims 1, 5–12, 14–18, and 20–23 under 35 U.S.C. § 103(a).

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED